



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

[Handwritten Signature]

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,462	04/22/2004	Noud Jan Gilissen	081468-0309162	6408
909	7590	10/03/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102			NELSON, VIVIAN HSU	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/829,462	GILISSEN ET AL.	
	Examiner	Art Unit	
	Vivian Nelson	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 September 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 9-18 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 and 8 is/are rejected.
- 7) Claim(s) 6 and 7 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 April 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Responsive to communication received on 2 September 2005.

As noted in the applicant's remarks, claim 5 has been amended to correct an informality and the objection is withdrawn.

The restriction requirement groupings is restated as follows:

- Group I: Claims 1-8, drawn to a holder.
- Group II: Claims 9-18, drawn to a method of manufacturing a holder.

Applicant elects the claims of Group I (i.e. claims 1-8) with traverse. The traversal is made on the grounds that an examination of two similar inventions does not constitute a serious burden on the Examiner. However, the restriction requirement is based on the patentability of two separately classified inventions, namely, the product and the process of making the product. An examination of the product does not mean that the prior art classified as a product would also include the making of that product. Both inventions have separate status in the art. The traversal has not been found persuasive; the requirement is still deemed proper and is therefore made

FINAL.

An examination of claims 1-8 is given below.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being unpatentable by Hirayanagi

(patent #5,847,813).

1. For claims 1, 2 and 8, Hirayanagi teaches a lithographic apparatus and carrier for a lithographic substrate or patterning device having:

a radiation system for providing a beam of radiation (col. 2 line 66);

a support structure for supporting a patterning device, which imparts a cross-section of exposure beam with a pattern to form a patterned beam (col. 2 lines 66-67);

a projection system that projects the patterned beam onto a target portion of a substrate, where the lithographic apparatus further includes a table for holding the substrate or patterning device and the table includes a carrier for carrying the lithographic substrate or patterning device (col. 1 lines 6-9), where the carrier includes

a first member with an open hollow structure, open to at least one side, constructed to support a lithographic substrate or patterning device; and

a second member connected to said first member so that a closed hollow internal structure is formed between said first and second members. Further, the second member has an open, hollow structure, which together with the open, hollow structure of the first member forms a closed internal structure of the carrier (see Figs. 1, 6, 7, and 8).

For example, one side of Hirayanagi's teaching (e.g. Fig 7) in the shape of an "E" is the first member and an adjoining second member is in the shape of an "8". Together they form four internal hollow structures within the carrier.

Art Unit: 2851

2. Regarding claim 3, Fig. 3c of Hirayanagi shows the plan view of a carrier in which the open hollow structure of the first and second members include a plurality of spaced apart ribs.
3. As to claims 4 and 5, Hirayanagi's Fig 7 can again be used to instruct on a third member positioned between the first and second member, where the third member has an open hollow structure that is open on two opposite sides. Specifically, if the first member was composed of two legs of the outside frame (i.e. at a right angle) and the second member composed of the other two legs of the outside frame (i.e. completing the box), then the third member would be the cross-shaped middle, which included a plurality of space apart interior walls.

Allowable Subject Matter

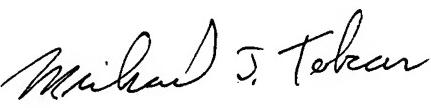
4. Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

- For claim 6, the prior art fails to show an additional plate placed against the plurality of ribs of the first and second members of the carrier's open, hollow structure acting as a strengthening interface.
- The primary reason for allowance of claim 7 is the usage of multiple materials for the composition of the carrier members – i.e. the first and second members are made of glass, carbon, and/or ceramics.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

vhn


Michael J. Tokar
Supervisory Patent Examiner
Technology Center 2800